

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2019

CORAM :

THE HON'BLE MRS.V.K.TAHILRAMANI, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P. No.34825 of 2018 and

1 G.Thirunavukkarasu
2 T.Gangadharan .. Petitioners

v.

- 1 The Secretary to Government
Government of Tamil Nadu
Housing and Urban Development
Secretariat, Chennai - 600009
- 2 The District Collector/ District President
Local Planning Authority
Erode Local Planning Authority
Erode
- 3 The Commissioner
Town and Country Planning
No. 807, Anna Salai
Chennai - 600 002
- 4 The Commissioner
Erode Municipal Corporation
Erode - 638001
- 5 The Member Secretary/ Assistant Director
Erode Local Planning Authority
Erode - 638009
- 6 The Assistant Executive Engineer
/ Assistant Commissioner i/c.
Erode Corporation Zone - IV
Kasipalayam
Erode - 638002
- 7 The Superintending Engineer
TANGEDCO

8 The Assistant Engineer (O and M) Erode East Nos. 7 and 8 at No. 948
EVN Salai TNEB Complex Erode 638009

9 M.Mohamed Siraj .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus, directing the respondents 2 to 6 to carry out the lock and sealing and demolition of unauthorized construction consequent to the order R.O.C. No. E1/ 1321/2014, dated 02.01.2017 of the 4th respondent herein.

For Petitioners : Mr.D.Shivakumaran

For Respondents :Mr.S.Kamalesh Kannan,
Govt Advocate - For - R1, R3 & R5
Mr.Raja Mathivanan - for R4 & R6
Mr.S.K.Rameshwar, Standing Counsel - for R7
Mr.L.Chandra Kumar for R9

O R D E R

(Order of the Court made by The Hon'ble Chief Justice
and M.DURAISWAMY, J.)

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the respondent Nos. 2 to 6 to carry out the lock and sealing and demolition of unauthorized construction consequent to the order dated 02.01.2017 of the respondent No.4.

2. The learned counsel appearing for the respondent No.9 filed a counter affidavit stating that subsequent to the filing of the Writ Petition, the respondent No.5 had issued a communication to him on 25.01.2019 to consider and scrutinize his on-line application dated 21.03.2018. Further, the respondent No.5 has called upon the respondent No.9 to produce all the documents and regularization plan as per G.O.Ms.No.110, 111 and 112, Housing and Urban Development Department, dated 22.06.2017. Further, the respondent No.9 has stated that on 31.01.2019, he had submitted all the documents and regularization plan to the respondent No.5. The respondent No.9 has also stated that the regularization of the building plan is still under process.

3. The learned counsel appearing for the petitioner submitted that since the respondent No.9 has submitted his application for regularization, the same may be recorded and

the Writ Petition may be disposed of.

4. In view of the submissions made by the learned counsel on either side, recording the submission made by the learned counsel appearing for the respondent No.9, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

Rj

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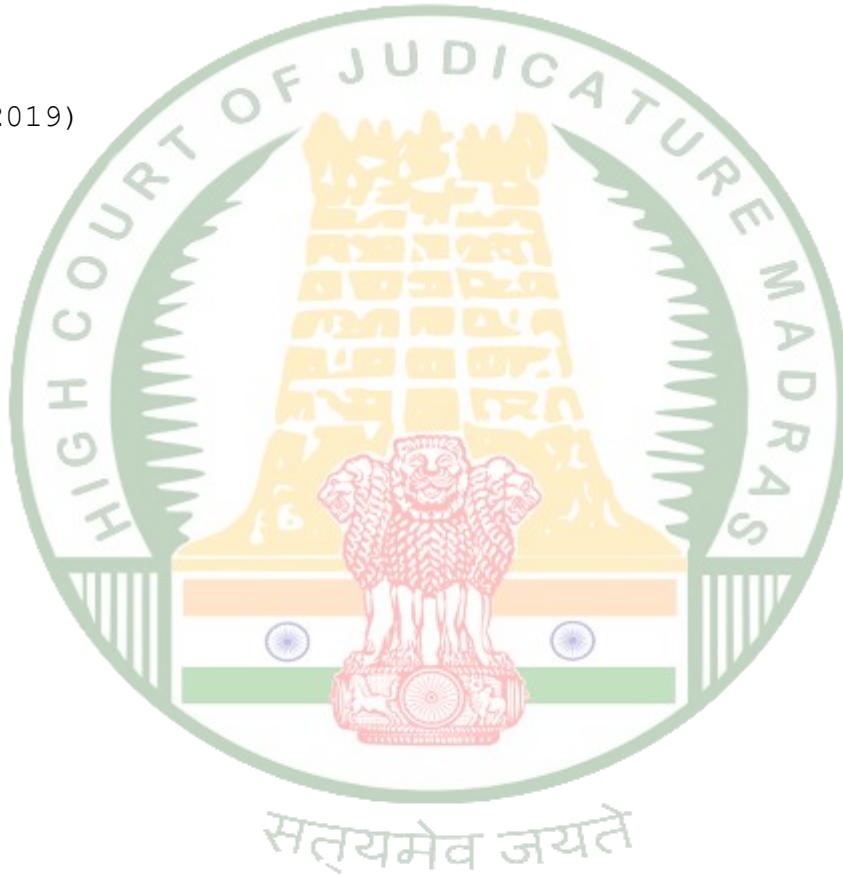
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+1cc to Mr.D.Shiva Kumaran, Advocate, S.R.No. 11312
+1cc to Mr.M.Raja Mathivanan, Advocate, S.R.No. 10591
+1cc to Mr.L.Chandra Kumar, Advocate, S.R.No. 10618
+1cc to the Government Pleader, S.R.No. 11328

W.P. No.34825 of 2018

KAN(CO)
GN(06/03/2019)



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